IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3298 OF 2005

Mohd. Kasim Mohd. Tasleem ...Applicant

Versus

State of Maharashtra ...Respondent

.....

Smt. Sonia Miskin, as amicus curiae for Applicant

Ms. R.M. Gadhavi, A.P.P. for State

.....

CORAM: A. M. KHANWILKAR, J.

DATED: 12TH DECEMBER, 2005

P.C.:-

1. Learned A.P.P. has drawn my attention to the order passed by Justice A.S. Oka on 22.08.2005 in Criminal Application No.2338 of 2004 which was filed by the present applicant for the same relief as prayed in the present application. The said application has been considered on merits and rejected. In the circumstances, it is not possible to entertain the same prayer once again just because another application has been filed by the applicant through jail. Hence, this application is rejected.

2. Copy of this order as well as the copy of the order dated 22.08.2005 passed in Criminal Application No. 2338 of 2004 be forwarded to the applicant as the present application has been filed through jail. I appreciate the able assistance given by Smt. Sonia Miskin, appointed as amicus curiae.

*****